(c) whether it is proposed to amend the present Act in order to introduce the element of 'truth' as a defence for a person accused of such contempt; and

(d) if so, by when the amendment is likely to be brought before Parliament?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) to (d) The provisions of the Contempt of Courts Act, 1971 were thoroughly reviewed in pursuance of the suggestion of the P.C. Jain Commission set up by the Government to review the Administrative Laws and it was then decided not to amend the Contempt of Courts Act, 1971.

National Commission to Review the Working of Constitution

1959. DR. ABRAR AHMED: Will the Minister of LAW AND JUSTICE be pleased to state the status of the report of National Commission to Review the Working of the Constitution?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): The National Commission to Review the Working of the Constitution (NCRWC) submitted its report to the Government on 31st March, 2002. The full text of the report of the Commission has been put on the Internet and the report has also been forwarded to all Ministries/Departments for examining and processing the same. Action on the recommendations lies with the Ministries/Departments of the Government of India, which are administratively concerned with the subject-matter of the recommendations.

NHRC for amendments in the Advocates Act

1960. SHRI P. PRABHAKAR REDDY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the National Human Rights Commission has underlined the need for amending the Advocates Act to put in place a mechanism for dealing with complaints of sexual harassment in legal profession;

(b) if so, the details thereof and the reasons adduced by the Commission in favour of the proposal; and

(c) Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) and (b) The National Human Rights Commission set up a high-level Committee to consider all aspects of the problem of sexual harassment of women in the legal profession. The Committee after considering as to how the legal fraternity could implement the guidelines and norms prescribed by the Supreme Court in Vishakha Vs. State of Rajasthan (AIR 1997 SC 3011), came to the conclusion that there was need to suitably amend the Advocates Act, 1961, so as to make provision for an appropriate mechanism to deal with complaints of sexual harassment. It was also recommended that till the necessary amendments were carried out in the Act, the Bar Council, under section 9 of the Act, could set up a Disciplinary Committee exclusively to deal with cases of sexual harassment in the legal profession.

(c) Regulation of legal profession being primarily the concern of the Bar Council of India, its comments were obtained. The Council has informed that it considered the matter in depth and was of the opinion that the same was covered under section 35 of the Advocates Act, 1961 and no fresh amendment was called for. State Bar Councils already have the power to deal with complaints of sexual harassment in the legal profession, in the exercise of their disciplinary jurisdiction under section 35 of the Act.

Need for more effective legal system

1961. SHRI GHULAM NABI AZAD: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government agree that there is a need to make the legal system more effective;

(b) if so, whether any changes are being contemplated in this regard;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) The Government have been constantly taking steps to make the legal system more effective.